

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.06.2021**

**CORAM**

**THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA**

**Crl. O.P. No. 5741 of 2021**

V.Mothi @ Mothi Krishnan ... Petitioner/Accused

-VS-

State Rep. by  
The Inspector of Police,  
Thiruporur Police Station,  
Kanchipuram.  
(Crime No. 1743 of 2020)

... Respondent/Complainant

**Prayer:-** Criminal Original Petition filed under Section 438 of the Code of Criminal Procedure, 1973, praying to enlarge the Petitioner/Accused herein on bail in the event of his arrest by the Respondent or on his appearance before the concerned Court in Crime No. 1743 of 2020.

For Petitioner : Mr. S.P.Pavanan

For Respondent : Mr. J.C.Durairaj,  
Counsel appearing for the Government

**ORDER**

**(The case has been heard through video conference)**

The Petitioner, who apprehends arrest at the hand of the Respondent Police for the offences punishable under Sections 8(c) and 20(b)(ii)(B) of the Narcotic Drugs and Psychotropic Substances Act, 1985, in Crime No. 1743 of 2020 on the file of the Respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the Petitioner along with other accused were found in possession of 1.100 Kgs of Ganja, without any valid license or permit. Hence, the complaint.

3. The Learned Counsel for the Petitioner would submit that this is the second application for anticipatory bail and the earlier application for anticipatory bail was dismissed on 10.12.2020. He would further submit that the Petitioner has been implicated in this case only based on the confession given by the co-accused. He would further submit that the two previous cases against the Petitioner have ended in acquittal. Hence, he prays for grant of anticipatory bail to the Petitioner.

4. Per contra, the Learned Counsel appearing for the Government would submit that the Petitioner was found in possession of 1.100 Kgs of Ganja and on seeing the Police, he fled away from the scene of occurrence and the same was recovered from the Petitioner. He would further submit that the Petitioner has two previous cases. Hence, he vehemently opposed for the grant of anticipatory bail to the Petitioner.

5. Heard the Learned Counsels and perused the earlier dismissal order dated 10.12.2020.

6. Taking into consideration the fact that the Petitioner was found in possession of 1.100 Kgs of Ganja and that it is a petition for anticipatory bail, this Court is not inclined to grant anticipatory bail to the Petitioner.

7. Accordingly, this Criminal Original Petition is dismissed.

23.06.2021

vjt

Index: Yes/No  
Internet: Yes/No

To

1. The Inspector of Police,  
Thiruporur Police Station,  
Kanchipuram.

2. The Judicial Magistrate I,  
Chengalpet.

3. The Public Prosecutor,  
Madras High Court,  
Chennai - 600 104.

**A.D. JAGADISH CHANDIRA, J.**

vjt



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